

December 23, 2003

PATENT APPLICATION
Attorney's Docket No.: 0838.1004-000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Behnaz Parhami-Seren, Michael N. Margolies, and
Garner T. Haupt, Jr.

Application No.: 09/412,268 Group: 1642

Filed: October 5, 1999 Examiner: S. Ungar

Confirmation No.: 9455

For: Ouabain-Specific Monoclonal Antibodies

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|---|--------------------|
| CERTIFICATE OF MAILING OR TRANSMISSION | |
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on: | |
| 12-24-03 | <i>Jane Morgan</i> |
| Date | Signature |
| JANE MORGAN | |
| Typed or printed name of person signing certificate | |

REPLY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Amendment is being filed in response to the Office Action mailed from the U.S. Patent and Trademark Office on December 20, 2002 in the above-identified application. Reconsideration and further examination are requested.

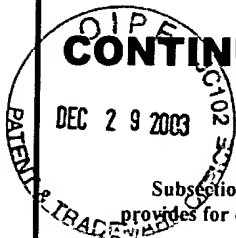
A Request For Continued Examination under 37 C.F.R. §1.114 is being filed in lieu of filing a Brief on Appeal pursuant to the Notice of Appeal received by the U.S. Patent Office on June 24, 2003. A four-month extension of time for filing a Brief on Appeal is respectfully requested. A separate Petition for Extension of Time and the appropriate fees are being filed concurrently.

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

REQUEST

FOR

CONTINUED EXAMINATION (RCE) TRANSMITTAL



Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

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|------------------------|--------------------------|
| Application Number | 09/412,268 |
| Filing Date | October 5, 1999 |
| Confirmation Number | 9455 |
| First Named Inventor | Behnaz Parhami-Seren |
| Group Art Unit | 1642 |
| Examiner Name | Susan NMN Ungar |
| Attorney Docket Number | 0838.1004-000 (MGH-1526) |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
 - i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on [].
(Any unentered amendment(s) referred to above will be entered).
 - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on [].
 - iii. ☐ Other -- [].
- b. ☐ Please do not enter the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on [].
- c. ☒ Enclosed
 - i. ☒ Reply
 - ii. ☒ Transmittal Fee Letter with copy
 - iii. ☐ Information Disclosure Statement (IDS)
 - iv. ☒ Petition for Extension of Time - four month(s) with copy
 - v. ☒ Other -- Statements Under 37 C.F.R. § 1.805(a)

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of [] months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other -- [].

3. Fees

- The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.
- a. ☒ A check is enclosed for the following fees in the total amount of \$1,125.00
OR
☐ Authorization is granted to charge the following fees in the total amount of \$[] to Deposit Account No. 08-0380. A copy of this document is enclosed for accounting purposes
 - i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
 - ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) 12/30/2003 SDENB01 00000098 09412268
 - iii. ☐ Amendment Fee 01 FC:2801 385.00 OP
 - iv. ☐ Other -- [].
- b. ☒ Authorization is hereby granted to charge any deficiency in fees or credit any overpayments to Deposit Account No. 08-0380. A copy of this document is enclosed for accounting purposes.

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

| | | | |
|-------------------|------------------------|-----------------------------------|-------------------|
| Name (Print/Type) | Anne J. Collins | Registration No. (Attorney/Agent) | 40,564 |
| Signature | <i>Anne J. Collins</i> | Date | December 24, 2003 |

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| | | | |
|-------------------|--------------------|------|----------|
| Name (Print/Type) | JANE MORGAN | Date | 12-24-03 |
| Signature | <i>Jane Morgan</i> | | |